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Attorney's Docket No. 9192-2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Malik

Confirmation No.: 3309

Serial No.: 09/838,878

Group Art Unit: 3629

Filed: April 20, 2001

Examiner: Smith, Traci L.

For: **SYSTEMS, METHODS AND COMPUTER PROGRAM PRODUCTS FOR
FACILITATING ONE-TO-ONE SECURE ON-LINE
COMMUNICATIONS BETWEEN PROFESSIONAL SERVICES
PROVIDERS AND REMOTELY LOCATED CLIENTS**

Date: January 26, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF STEPHEN NABEIL MALIK UNDER 37 C.F.R. § 1.131

I, Stephen Nabeil Malik hereby declare and say as follows:

1. I am named as the inventor in the above-referenced patent application (U.S. Patent Application Serial No. 09/838,878, filed on April 20, 2001, and which claims priority from U.S. Provisional Patent Application Serial No. 60/200,091, filed on April 27, 2000).

2. Prior to at least April 2000, I conceived the subject matter of Claims 1-49 of U.S. Patent Application Serial No. 09/838,878 and proceeded diligently with the preparation and filing of U.S. Provisional Patent Application Serial No. 60/200,091, from which U.S. Patent Application Serial No. 09/838,878 claims priority, in the United States Patent Office.

3. Subsequent to conception, I proceeded diligently with reducing the invention to practice through the launching of a secure web-based system for providing healthcare services to patients at www.virtualmedicalgroup.com in September, 1999.

4. In February, 2000, the attached marketing materials, which describe my claimed invention, were published for an educational conference and trade show entitled "eHealthcare World 2000" that took place on May 1-3, 2000 in Las Vegas, Nevada.

5. The launch of www.virtualmedicalgroup.com and the published marketing materials attached hereto clearly indicate conception of the subject matter of Claims 1-49 of U.S. Patent Application Serial No. 09/838,878 prior to April 2000.

6. I participated in the preparation of U.S. Provisional Patent Application Serial No. 60/200,091 and, subsequently, U.S. Patent Application Serial No. 09/838,878, which describes, illustrates, and claims the invention set forth in the attached marketing materials and at www.virtualmedicalgroup.com. Preparation and filing of the above-referenced patent applications proceeded diligently from the time of conception.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of U.S. Patent Application Serial No. 09/838,878 or any patent(s) issued thereon.


Stephen Nabeil Malik

1/26/2005
Date



VIRTUAL OFFICE VISIT™



SMART PATIENT™



VIRTUAL MEDICAL RECORD™

Obtain effective quality medical treatment for a variety of specific health conditions without spending time in a waiting room.

Convenient and Quick

You determine when your Virtual Office Visit™ is conducted online, choosing a time that is convenient for you. We help you take control of your schedule.



Quality Physicians

All of our physicians are experienced, U.S. licensed, and Board Certified.

- All Physicians' credentials and biographical info available online.
- Credentials exceed National Commission for Quality Assurance (NCQA) Guidelines.

Secure

All patient/physician communication utilizes state-of-the-art Secure Socket Layer encryption technology.

Confidential

Many of our patients seek treatment for sensitive conditions. Through our Virtual Office Visit™, you can communicate directly with our physicians through Secure Socket Layer technology, without having to communicate your medical information through physician office staff and nurses.

Interactive

Your VirtualMedicalGroup.com physician can interact with you extensively, developing a strong patient care relationship, all through our secure environment.

Prescriptions and Refill Requests

For added convenience and privacy, we also offer an optional mail-order pharmacy service, 1stOnlinePharmacy.com, that can fill prescription orders written by our physicians.

- No scheduling difficulties
- No travel to the doctor's office
- No time wasted waiting to be seen by the doctor

Enjoy the convenience of our online health services!

VirtualMedicalGroup.com is committed to helping you maintain a healthy life, providing you with free health information that will help you become a more knowledgeable patient, a Smart Patient™.

Personalized Health Maintenance Guidelines

When you provide us with basic information about you and your health, we respond with valuable information and recommendations on how to live a healthy life. All information is communicated over a Secure Socket Layer encryption to guarantee confidentiality.

Complete our Smart Patient™ health questionnaire (less than five minutes) to immediately obtain personalized health maintenance information and suggestions.

Ongoing Health Information

We will periodically email you customized information of particular interest to you, based on your personal health profile, as well as health maintenance reminders.



Getting Started is Easy!

- 1 Log on to www.virtualmedicalgroup.com
- 2 Select Register
- 3 Register as Patient

Your Virtual Medical Record™

As member of VirtualMedicalGroup.com, you can establish your personal online Virtual Medical Record™ FREE.



A comprehensive medical record is essential for a physician to provide you quality care. When visiting a new physician, you can grant them online access, eliminating the need to fill out lengthy medical forms.

In an emergency, you can grant the emergency room physician access to your medical history, enabling them to provide you with appropriate care.

You control your Virtual Medical Record™

- As you seek treatment from VirtualMedicalGroup.com physicians, you may choose to have that information automatically added to your Virtual Medical Record™.
- As you seek care from other health care providers, you can fax or email updated medical information to your online Virtual Medical Record™.
- You control access to your Virtual Medical Record™ through your unique user ID and password. We will also provide you with an emergency wallet card that has instructions on how to access your online medical record, using your secure password.

Take Control of your Health Online.

VirtualMedicalGroup.com harnesses the power of Internet technology to deliver health care services to our patients worldwide. We offer our patient members the following online services:



VIRTUAL OFFICE VISIT™
- Convenient, Secure, Confidential Care by Quality Physicians



SMART PATIENT™
- Free personalized service of emailed Health Tips, Health Reminders and Health Maintenance Guidelines



VIRTUAL MEDICAL RECORD™
- Free and Secure online Personal Medical Record

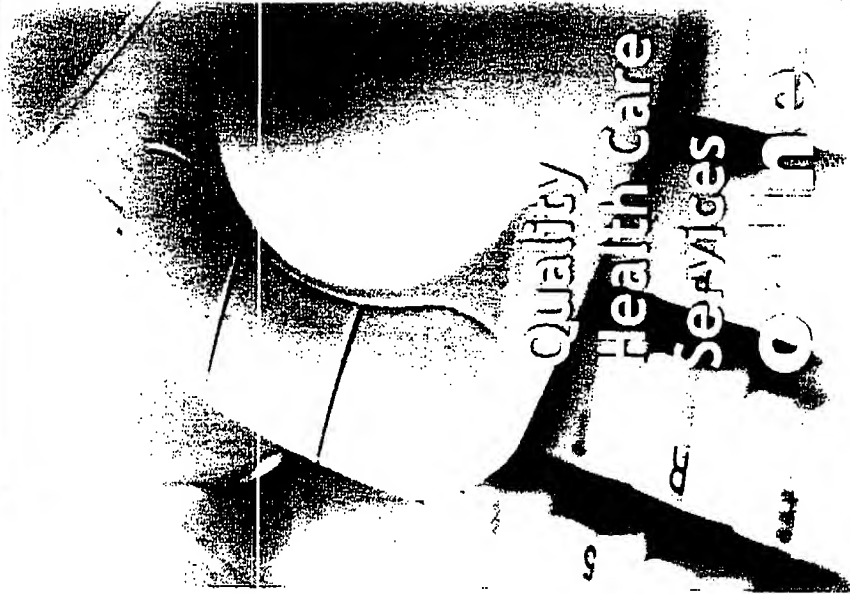
VirtualMedicalGroup.com, LLC

The nation's premier internet site for physician-to-patient interactions. Our network of U.S. Licensed, Board Certified physicians uses leading edge technology to provide quality health care services to you that are

VirtualMedicalGroup.com
2000 Medical Plaza
Baltimore, MD 21201
Phone: 410-491-2833
Fax: 410-491-2834

www.virtualmedicalgroup.com

virtual
medicalgroup.com



Connecting Physicians to Patients

interactive • secure • convenient • confidential



virtual.com
medicalgroup.

Confidential

We are recruiting experienced and board Certified physicians to join our national network.

MEMBERSHIP BENEFITS

Become A VirtualMedicalGroup.com Participating Provider and receive:

- Additional income by seeing new patients online at a time convenient to you
- Full control of the patient treatment plan
- Risk management through comprehensive online consultation documentation
- Your own secure web page hosted by us
- Our web-enabled tools that will allow you to see your existing patients easier, quicker and more conveniently
- A secure site where your patients can build an online medical record
- Comprehensive malpractice coverage for all VirtualMedicalGroup.com patient consultations

OR, Become an Associate Member, forgoing our credentialing process, and receive VirtualMedicalGroup.com's web page and web tools to help build your existing practice.

COMPENSATION

VirtualMedicalGroup.com pays all of the providers in our network on a per patient basis. All of our consults are prepaid with credit cards via Cybercash eliminating the standard waiting period for payment from insurance companies. Your account is settled every month, with checks issued by VirtualMedicalGroup.com within 5 days.

"I enjoy the ability to communicate with my patients in a secure, online medical environment. We have a quality interaction that is convenient for both of us."

Rowena Sobczyk, MD
Chief Medical Officer,
VirtualMedicalGroup.com



GUIDELINES

VirtualMedicalGroup.com is helping lead national and state initiatives to develop ethical and legal guidelines for Internet based physician-to-patient interactions.

- Our nationwide physician network ensures physician licensure corresponds to the patient's state of residence.
- Our physicians are all credentialed according to NCCA standards, and exceed those standards, having at least 3 years of experience and Board Certification.
- Our secure physician-to-patient communication tools provide a medium for extensive interaction in developing a treatment plan.
- Our health condition specific care templates are physician designed to ensure quality care.
- Our physicians always utilize their independent medical judgment in determining treatment plans.
- Our global malpractice policy covers all VirtualMedicalGroup.com consultations performed by our physicians.

Our goal is to work with the AMA, the State Medical Boards and other regulatory agencies to carefully develop and appropriately implement Internet based physician consultations.

interactive • secure • convenient

take part in the

FUTURE of Health Care

The leader in online
physician-to-patient
interactions and
consultations.

An established network of
Board Certified physicians
treating patients in every
state—online.

Providing physician-to-patient
communication through a
Secure Locket Layer to
guarantee confidentiality.

Online Internet Consumer
marketing expertise delivers
local patients directly to our
member physicians.

What we do for our patients

VirtualMedicalGroup.com harnesses the power of Internet technology to deliver health care services to our patients worldwide. We offer our patient members the following online services:



VIRTUAL OFFICE VISIT™

- Convenient, Secure, Confidential Care by Quality Physicians



SMART PATIENT™

- Free personalized service of emailed Health Tips, Health Reminders and Health Maintenance Guidelines



VIRTUAL MEDICAL RECORD™

- Free and Secure online Personal Medical Record



Now, the Internet can benefit patients and physicians by facilitating physician-to-patient interactions that are:

- Secure
- Convenient
- Interactive
- Confidential

Why VirtualMedicalGroup.com?

VirtualMedicalGroup.com, based in Research Triangle Park, North Carolina, is the leader in facilitating physician-to-patient consultations on the Internet while adhering to state telemedicine statutes and regulations. We are expanding our national physician network to meet the health care needs of our rapidly growing patient membership.

That is why we want you.

**900 Perimeter Park Drive, Suite G
Morrisville, NC 27560**

**phone 1.919.481.2633 fax 1.919.481.9433
toll free 1.800.930.7493**

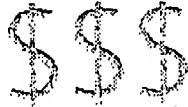
www.virtualmedicalgroup.com



Affiliate Marketing Program

Join the VirtualMedicalGroup.com affiliate program and take advantage of a unique GUARANTEED revenue generating opportunity. The VMG affiliate marketing program is very easy to incorporate into your current marketing efforts and is fully supported by our team of internet marketing specialists. We supply everything you need including Banners, Text Links and/or other special creative requirements. Your site visitors will enjoy the added value of VirtualMedicalGroup.com Board Certified physician consultation services. And, this added value means many return visits to your site!

GUARANTEED



VirtualMedicalGroup.com offers a first month guaranteed payout of \$500.00 for your marketing efforts. Subsequent month's revenue is based on productivity and new patient acquisition. New patient acquisition is tracked through the use of a unique user I.D. A password is issued once you sign the affiliate program agreement.

AFFILIATES EARN BETWEEN \$2,000 to \$6,000 per month!

Benefits of Affiliate Membership

- Guaranteed Revenue
- Traffic Builder
- Value Added Services
- Quality Association/Partnership Image
- Ongoing revenue stream
- Leverage products/clients

How To Become A VirtualMedicalGroup.com Affiliate

- 1 Contact VMG Affiliate Marketing Dept. e-mail: affiliate@virtualmedicalgroup.com
phone: 919.481.2633 ext. 124
- 2 Complete and sign the Affiliate Marketing Agreement.
- 3 Once agreement is approved you will be provided with the marketing support needed to start generating immediate revenue. In addition, your unique user I.D. and password will be issued at this time.

SAMPLE BANNERS



VirtualMedicalGroup.com, LLC
900 Perimeter Park., Suite G
Morrisville, NC 27560
phone 919.481.2633 fax 919.481.9433
1.800.930.7483



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**Affiliates Earn
Between
\$2000 to \$6000
per month!**

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